

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

REPUTATION.COM, INC.,	)
	)
Plaintiff,	)
	)
v.	) C.A. No. 21-129 (LPS) (CJB)
	)
BIRDEYE, INC.,	)
	)
Defendant.	)

**DEFENDANT BIRDEYE, INC.’S RULE 12(b)(6) MOTION TO DISMISS  
FOR LACK OF PATENT-ELIGIBLE SUBJECT MATTER AND FOR AN  
EXPEDITED HEARING ON THE MOTION TO DISMISS**

Pursuant to Federal Rule of Civil Procedure 12(b)(6) and the Court’s inherent authority to manage its docket, Defendant Birdeye, Inc. moves to dismiss the Complaint because the patents-in-suit fail to claim patent-eligible subject matter and for an expedited hearing on this motion. The grounds for this motion are set forth in Defendant’s Opening Brief, submitted herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

OF COUNSEL:

Stephen R. Smith  
Samuel K. Whitt  
COOLEY LLP  
1299 Pennsylvania Avenue, NW, Suite 700  
Washington, DC 20004-2400  
(202) 842-7800

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Michael Flynn (#5333)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
mflynn@morrisnichols.com

Deepa Kannappan  
COOLEY LLP  
3175 Hanover Street  
Palo Alto, CA 94304-1130  
(650) 843-5673

*Attorneys for Defendant*

April 9, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that on April 9, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on April 9, 2021, upon the following in the manner indicated:

Stephen J. Kraftschik, Esq.  
POLSINELLI PC  
222 Delaware Avenue, Suite 1101  
Wilmington, DE 19801  
*Attorneys for Plaintiff Reputation.com, Inc.*

*VIA ELECTRONIC MAIL*

Taras A. Gracey, Esq.  
Mark T. Deming, Esq.  
POLSINELLI PC  
150 N. Riverside Plaza, Suite 3000  
Chicago, IL 60606  
*Attorneys for Plaintiff Reputation.com, Inc.*

*VIA ELECTRONIC MAIL*

Babak Monajemi, Esq.  
POLSINELLI PC  
1401 Eye ("I) Street, N.W., Suite 800  
Washington, DC 20005  
*Attorneys for Plaintiff Reputation.com, Inc.*

*VIA ELECTRONIC MAIL*

*/s/ Michael J. Flynn*

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Michael J. Flynn (#5333)